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Chairman: Mr. Chowdhury ..... (Bangladesh)
later: Ms. Daes (Vice-Chairman) ..... (Greece)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.15 a.m.

Agenda item 121: United Nations common system (*continued*) (A/52/30 and A/52/439; A/C.5/52/18)

1. **Mr. Bond** (United States of America) said that it was essential that the members of the International Civil Service Commission (ICSC) should be highly competent and independent. Member States should therefore ensure that their candidates possessed the requisite technical expertise.

2. A large portion of the Commission's report addressed the post adjustment in Geneva. Geneva-based organizations had presented arguments as to why the current system could not and should not be changed. But the General Assembly had clearly stated its position in resolution 48/224 and part I.B, paragraph 2, of resolution 50/208, where it had requested the Commission to establish in 1996 a single post adjustment index which was fully representative of the cost of living of all staff working in Geneva and which ensured equality of treatment with staff in other headquarters duty stations. The same request had been repeated in resolution 51/216. The issue was admittedly complicated, but the post adjustment system was supposed to ensure that all staff members had the same purchasing power regardless of duty station. The current methodology created unacceptable inequities because it failed to reflect the actual cost of living of a substantial portion of Geneva staff members. Accordingly, a change was needed.

3. On the issue of the conditions of service of Professional and higher categories, his delegation was disappointed that the Commission had chosen not to deal with mission subsistence allowance and hoped that the Commission would submit a report on that issue as soon as possible. With regard to standards of travel, the Commission had taken the view that when the duration of air travel equalled or exceeded six hours, it would be reasonable to upgrade from economy to business class. His delegation did not agree and questioned the view of the medical service on the matter.

4. In regard to the methodologies for surveys of best prevailing conditions of employment at headquarters and other duty stations, his delegation supported the recommendations of the working group that had been instructed to examine the issue, in addition to the decisions taken by the Commission. Future surveys should be conducted using the proposed methodologies with effect from 1 January 1998, without waiting for the next meeting of the working group and notwithstanding the fact that staff representatives had reconsidered their earlier decision not to participate. The decisions of the Commission were consistent with the Flemming principle and with the practices of other international employers in the public and private sectors.

5. **Mr. Deineko** (Russian Federation) said that it did not consider it reasonable to revise the mandate and membership of ICSC. On the other hand, the attitude of the staff organizations which had refused to participate in the Commission's work within the framework of the consultative mechanism was unacceptable. In the light of the boycott, perhaps the time had come to look at the established practice of allowing staff representatives to make statements to the Fifth Committee. In any event, his delegation hoped that dialogue would be resumed without delay, since it was essential that the Commission should be able to carry out its role of regulating conditions of service in organizations in the common system as efficiently as possible.

6. The establishment of a single post adjustment index for Geneva which took account of the cost of living in Geneva itself and in the neighbouring areas of France would be a logical step, even if it gave rise to administrative, technical and legal difficulties. It would be desirable for the General Assembly to take a decision of principle on the matter at the current session, while making provision for transitional measures and ensuring that the approval of Geneva-based organizations was obtained.

7. The General Assembly had requested the Commission to conduct a review of the General Service salary survey methodologies with a view to increasing the weight of public sector employers in order to settle the issue of overlap in remuneration between the Professional and General Service categories. Surprisingly, the Advisory Committee appeared to have interpreted that request as not automatically including national civil services. His delegation was of the view that the Commission's decisions would make it easier to coordinate the Noblemaire and Flemming principles, but it believed that the Commission should keep the issue under continuous review.

8. His delegation believed that fixed-term appointments provided considerable flexibility and made the task of human resources management easier. While there was admittedly a need for a core of permanent staff members, a rational combination of fixed-term and permanent contracts was currently the most acceptable formula, and was consistent with the idea behind recent General Assembly resolutions, specifically resolution 51/226. In the light of the financial crisis currently facing a number of organizations in the common system, that solution should be given priority. The experience gained in that field by the International

Telecommunication Union (ITU) deserved careful consideration.

9. His delegation was satisfied in principle with the Commission's recommendations on a number of other issues, to which it would return in informal consultations.

10. **Mr. Skjosberg** (Norway) said that, with regard to the remuneration of the international civil service, some multilateral organizations such as the Bretton Woods institutions paid salaries that were considerably higher than those of the United Nations, and that some agencies might experience difficulties in recruiting highly qualified staff members. The common system must be made sufficiently flexible to be able to meet those challenges.

11. It went without saying that the United Nations needed competent people, and the improvement of human resources management should therefore be an integral part of United Nations reform. His delegation had taken note of the statement by the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA) calling for the establishment of an inter-agency mechanism with staff representation in order to monitor the creation of United Nations Houses and the merger of various entities in the field to ensure transparency, fairness and accountability. His delegation had been pleased to note that the Commission was seeking ways to strike a better balance in all areas of its mandate. In that connection, his delegation particularly appreciated the recent forum on new directions in human resource management.

12. His delegation had noted with interest the information contained in paragraph 54 of the Commission's report, which stated that the German civil service remuneration package was 10.5 per cent higher overall than that of the United States federal civil service, thereby implying that the comparator should be changed or that the range of the margin should be increased from the present 10-20 per cent to 20-30 per cent.

13. The Commission had recommended that the base/floor salary scale for the Professional and higher categories should be increased by 3.1 per cent through the consolidation of post adjustment, with effect from 1 March 1998. His delegation supported that recommendation, as well as the recommendation on the revised staff assessment scale.

14. With regard to the post adjustment at Geneva, he noted that it would not be possible to implement a single post adjustment by 1 January 1998, as requested by the General Assembly in its resolution 51/216. In the opinion of the Legal Counsel, any change in the current situation might result in years of litigation before the Administrative Tribunals. Accordingly the Commission should carry out the study referred to in paragraph 102 of its report before proceeding further.

15. With respect to performance management and the performance award system, the decisions of the Commission in paragraph 219 of its report offered a sound basis for the development of the system.

16. Regarding staff recruitment, while permanent appointments should be the norm to allow for career planning, appointments of limited duration offered the advantage of flexibility, and organizations might be encouraged to use such appointments on a pilot basis.

17. His delegation was concerned at the state of relations between ICSC and the staff associations. He had taken due note of the statement by the Federation of International Civil Servants' Associations (FICSA) regretting the lack of an equitable consultative process. His delegation had also noted that the first meeting of the Working Group on the Consultative Process and Working Arrangements had been postponed to mid-January 1998. He hoped that a dialogue would begin at that time on a healthier basis.

18. **Mr. Maddens** (Belgium), speaking on behalf of the European Union and the associate countries of Bulgaria, Cyprus, Estonia, Latvia, Lithuania, Poland, Romania and Slovakia, said, with respect to the conditions of service of the Professional and higher categories, that the European Union attached great importance to respect for the Noblemaire principle and the common system, which offered many benefits but also imposed obligations, and the operation of which currently raised a number of questions.

19. With regard to the review of comparators, the Chairman of the Commission had emphasized that the comparative study of the German and United States civil services had not shown any significant change in the gap recorded in 1995. The Commission should continue to monitor the question closely. As for the base/floor salary scale, given that the margin was above the mid-point, there was no reason to increase the scale at the moment.

20. With respect to the conditions of service of General Service and locally recruited staff, the European Union had taken note of the Commission recommendation to establish numerical criteria for the selection of public and private sector employers for the application of the Flemming principle. As for the Flemming principle itself, the United Nations should not systemically seek to compete with the best local employers since the level of remuneration was not the only benefit of employment with the Organization.

21. The methodology adopted in 1992 for determining the education grant was reasonably satisfactory. With respect to performance management, he would welcome the introduction of performance-linked bonuses and awards. The Organization should take the necessary measures in that regard.

22. After having commended the Commission on the improvement in the presentation of its report, he emphasized the need for ICSC and the staff associations to restore confidence in their mutual relations as quickly as possible so that the dialogue on all questions of concern to the common system could resume.

23. **Ms. Tacorda-Rabago** (Philippines) reaffirmed her delegation's commitment to a single, unified common system, and the role of ICSC in the regulation and coordination of the conditions of service of the Organization's staff. Her delegation attached great importance to the dialogue between the Commission, executive heads and staff representatives, and welcomed the establishment of the Working Group on the Consultative Process and Working Arrangements. She regretted, however, that the staff representatives had not been able to participate in the meeting of the Working Group scheduled for July 1997. She hoped that, at the meeting to be held in mid-January 1998, the issues concerning the consultative process could be resolved to the satisfaction of all.

24. Regarding the competitiveness of common system salaries, she recalled that the General Assembly had not approved the Commission's earlier recommendation to increase the salaries of the Professional and higher categories by 9.2 per cent in 1995 and 4.1 per cent in 1996. She supported the Commission's recommendation for a 3.1 per cent adjustment in the base/floor salary scale to bring it into line with the comparator.

25. She took note of the results of the study on a single post adjustment index for Geneva, as well as the comments of the Legal Counsel and the legal objections raised by the Geneva-based organizations. Before the General Assembly could take a final decision on such a complex issue the Commission should carry out a cost-benefit analysis of the application of a single index to Geneva.

26. She noted that some 1,100 staff were currently serving under appointments of limited duration. While acknowledging the flexibility that such appointments offered to the Organization when it recruited non-career staff for specific missions of limited duration, such as peacekeeping and related field missions, such appointments must not over time replace the permanent contracts granted to staff performing core functions. Her delegation was concerned that a large proportion of appointments of limited durati had gone to nationals of developed countries, and she shar the Commission's view that such staff should be recruit on as wide a geographical basis as possible. She support the principles and guidelines proposed in that regard by t Commission in annex XX to its report. She also agreed th until the Commission had completed its assessment of t long-term impact of appointments of limited duration, tho new contractual arrangements should remain on a pilot bas She requested the Commission to keep Member Stat informed of developments in that regard.

27. **Mr. Atiyanto** (Indonesia) said that his delegation w aware of the complexity of the issues raised by t consultative process. In that connection he had taken no of the statements made by the President of the Coordinati Committee for International Staff Unions and Associatio of the United Nations system (CCISUA) and of the Preside of the Federation of International Civil Servant Associations (FICSA). He reaffirmed that his delegati attached great importance to the work of ICSC and hop that the meeting of the Working Group on the Consultati Process and Working Arrangements of the Commissi would allow dialogue to resume. He recalled in that rega that the General Assembly, in its resolution 51/216, part V had invited staff representatives to resume their participati in the work of the Commission in a spirit of cooperation. H delegation would make other comments on the report of t Commission in informal consultations.

28. **Mr. Manlan** (Côte d'Ivoire) expressed satisfaction the democratic character and openness of the Internation Civil Service Commission (ICSC) and said that h delegation generally supported the recommendatio contained in the Commission's report. He welcomed the fa that the secretariat had organized a briefing on the work the Commission, but hoped that such briefings would be he more often and not the day before the presentation of t Commission's report. His delegation also welcomed t organization of the forum on new trends in human resourc management, which reflected the Commission's concern have a more dynamic and forward-looking approach to t international civil service.

29. With regard to the post adjustment index for Genev the delegation of Côte d'Ivoire had taken note of t difficulties encountered in implementing the request ma by the General Assembly in its resolution 51/216. subscribed to the views expressed by the Legal Counsel a suggested that the Commission should pursue consideration of the matter taking into account the differe viewpoints that had been expressed. It feared, however, th

after a decision had been taken concerning Geneva the problem might also arise for other duty stations.

30. With regard to the Commission's proposal to increase by 3.1 per cent the base/floor salary scale for staff in the Professional and higher categories, he wondered whether the financial implications of such a measure had been taken into account in the proposed programme budget.

31. His delegation had taken note of the statement that the United States federal civil service would no longer be taken to be the highest paid national civil service and of the proposal to increase the margin between net remuneration from 10-20 per cent to 20-30 per cent pending the completion of a more in-depth study of the German civil service. It wished to draw attention to the fact that the assumptions made for the purposes of the comparative study must be viewed with caution and that important considerations such as the restructuring of the German civil service and the evolution of the European Union had not been taken into account. His delegation supported the proposals concerning the margin but, in view of the financial crisis and the fact that the comparator civil service had still not fully carried out the reforms provided for in the relevant federal law, it would have no difficulty in taking the matter up again at the following session of the General Assembly.

32. The delegation of Côte d'Ivoire welcomed the efforts being made as part of the new approach to human resources management to better motivate staff. In that connection, despite certain reservations which it would express during informal consultations, it found that the recommendations concerning the monitoring of professional conduct were pertinent. It supported the creation of the working group to review the consultative process and working methods of the Commission. Even though the Commission was duly mandated to regulate and standardize working conditions on a system-wide basis, such a tripartite consultative mechanism was likely to promote dialogue among all partners.

33. **Mr. Darwish** (Egypt) said that his delegation appreciated the efforts made by the Commission to help the United Nations and the organizations of the United Nations system to overcome the difficulties which they were experiencing in personnel matters and to improve the management of the Organization's human resources. It was important to resolve the current dispute between the Commission and the representatives of the staff so that, in making its decisions, the Commission would take due account of the views of the staff.

34. The Egyptian delegation supported the status of the Commission as an intergovernmental body and stressed that the restructuring exercise should not adversely affect that status. It was of the view that conditions of employment must permit the Organization to attract highly qualified staff and it would welcome any recommendation aimed at achieving that objective. It wished to reiterate its earlier statements that the rights and duties of staff must be clearly defined. In that connection, it believed that the code of conduct proposed by the Commission was a good point of departure.

35. With regard to the post adjustment index for Geneva, the Egyptian delegation was in favour of maintaining the status quo, but considered that, in view of the complexity of the issue, it would be advisable to review all of its aspects taking into account all points of view and all proposals. Generally speaking, his delegation supported the recommendations made by the Commission in its report.

36. *Ms. Daes (Greece), Vice-Chairman, took the Chair.*

Agenda item 138: Financing of the United Nations Mission in Bosnia and Herzegovina (*continued*) (A/C.5/52/L.8)

37. **The Chairman** invited members of the Committee to consider draft decision A/C.5/52/L.8, which had been submitted by the Chairman following informal consultations.

38. **Ms. Silot Bravo** (Cuba) recalled that, during the consultations on the item, her delegation had asked whether paragraph (c) of the draft decision, which provided for the employment of locally recruited staff, could be effectively implemented and what would be the likely impact on the quality of staff.

39. **Mr. Yeo** (Deputy Director of the Peacekeeping Financing Division) said in reply that the wording used in the paragraph in question had been originally drafted for a resolution concerning the United Nations Angola Verification Mission. The idea had been to reduce the number of internationally recruited General Service staff in peacekeeping operations, while at the same time retaining some freedom of manoeuvre for the Secretariat. The Secretary-General would report on the implementation of that provision and of its possible implications in future budget performance reports for the operations concerned and would take account of it in his budget proposals for the period from 1 July 1998 to 30 June 1999. He understood that a different report would be devoted to the subject, as requested in the same paragraph (c) of the draft decision.

40. **Mr. Moktefi** (Algeria), speaking in explanation of position, said that, while his delegation approved the draft decision, including paragraph (c), it nevertheless wished to

point out that such a provision could not be systematically applied to all peacekeeping missions and that the decision to include it, based on the model of draft paragraph (c), should be taken on a case-by-case basis.

41. **The Chairman** said that if he heard no objection he would take it that the Committee wished to adopt the draft decision without a vote.

42. *Draft decision A/C.5/52/L.8 was adopted without a vote.*

43. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 138 and requested the Rapporteur to report directly thereon to the General Assembly.

Organization of work

44. **Mr. Sulaiman** (Syrian Arab Republic) said that the Third Committee had before it a draft resolution on the protection of United Nations personnel (A/C.3/52/L.50), which referred to the privileges and immunities of the United Nations and to the safety of its personnel, issues which had been considered by the Fifth Committee under the agenda item entitled "Human resources management". Before the Third Committee took a decision on the proposed text, its Chairman should be advised that the items had been referred to the Fifth Committee and that one of the resolutions referred to in the preamble to the above-mentioned text had been adopted on the recommendation of the Fifth Committee.

45. **Ms. Buergo Rodriguez** (Cuba) said that, like Mr. Sulaiman, she feared that the two Committees might take different decisions on the matter. In her view, the Bureau should take the necessary action before the Third Committee took a decision on the draft resolution. She was also concerned at the extremely heavy programme of work that remained to be completed before the end of the session. She wished to know which issues must absolutely be resolved and how the Committee could focus its work on the priority matters.

46. **Mr. Manlan** (Côte d'Ivoire) said that it was not inconceivable that certain matters should be taken up by two Main Committees. The question of privileges and immunities, for example, might very well be of interest to the Third or even to the Sixth Committee.

47. **Mr. Acakpo-Satchivi** (Secretary of the Committee), replying to the Cuban delegation, said that the two issues on which the General Assembly was absolutely required to take a decision before the suspension of the session were the scale of assessments and the proposed programme bu neither of which could be addressed without the othe

The meeting rose at 11.40 a.m.